

COMMISSION MEETING MINUTES

July 11, 2006

The meeting of the Maryland Commission on Human Relations was called to order on Tuesday, July 11, 2006 at 10:15 a.m., in Baltimore, Maryland.

Present Thomas Owen, John Hermina and Norman Gelman.

APPROVAL OF THE MINUTES The minutes of the June meeting were accepted as written. Chairperson Owen thanked Vice-Chair Hermina for reviewing last month's minutes.

Dept. of Budget and Management
Legislative Budget Analyst

Mr. Darrin Aycock, Legislative Budget Analyst, was present today. Mr. Aycock informed Commissioners that he has been employed with the state for six (6) years. Mr. Aycock trains all new analysts on the state's budget system, HOBOS. Mr. Aycock is currently assigned to ten (10) state agencies, one of which is the Commission. Budget Analysts are responsible for visiting their assigned agencies during the summer months to try to learn more about their agencies. Agencies submit their budget; the analyst reviews the budget and prepares an analysis. Analysts are looking at actual expenditures, what the current level of appropriation is, and the agency's budget request. The budget request is based on a target dollar amount that Budget & Management sends out to agencies. Agencies are responsible for submitting their budget at that target level. If there are any additional initiatives or legislation that has passed in the prior legislative session, agencies can submit an over-the-target request. The Budget Analyst reviews all request and makes a recommendation to the Secretary of the Dept. of Budget & Management.

Mr. Aycock also informed Commissioners that he also reviews the agency's Managing for Results submission. The performance measures are reviewed to see how the agency actually performs. The goals and objectives are looked at to see if they are really on target and to see if they also focus on the mission of the agency. The analyst also reviews all budget amendments. The Budget Analyst's responsibility is to make sure that the agency has an appropriate level of funding in order to conduct their operations.

The Assistant Director inquired as to the status of the request for funding in reference to the vendor bill. The Budget Analyst stated that the agency was

carbon copied on the response to this request. The Budget Analyst also stated that there was a recommendation in the response that the agency submit an over-the-target request for funding this initiative.

**CHAIRPERSON'S
REPORT**

Commissioners received copies of the Chairperson's Report (See attached). Chairperson Owen did not have anything to report because he was on vacation most of the month.

**EXECUTIVE
DIRECTOR'S
REPORT**

The Executive Director informed Commissioners that he was on vacation and after returning from vacation he was sick.

Commissioner Barbara
Dezmon

The Executive Director informed Commissioners that Commissioner Dezmon officially submitted her resignation. The Executive Director received a copy of the letter Commissioner Dezmon sent to the Governor's office.

The Commission requested and has received a Governor's citation for Commissioner Dezmon. The citation will be forwarded to Commissioner Dezmon.

Senate Bill 897
Procurement –
Commercial
Nondiscrimination
Policy

The Executive Director informed Commissioners that MCHR is in the process of formulating a plan to implement Senate Bill 897, both from a budgetary standpoint and from a practical standpoint. MCHR will be meeting with the Attorney General's Office and the architect of the bill.

The General Counsel informed Commissioners that this bill was introduced by Delegate Talmadge Branch. This legislation is a result of an initiative of a Task Force with the Lieutenant Governor dealing with the Minority Business Enterprise. One of the recommendations was legislation to address a problem involving discrimination. Many of the Minority Business Enterprise participants felt that the State should not do business with companies that discriminate. Baltimore City and some smaller cities around the country have similar legislation.

Chairperson Owen inquired as to whether the bill implies that MCHR needs additional staff. The Executive Director stated that MCHR's observations that it does require more staff.

The General Counsel informed Commissioners that the bill that passed, as written, has severe conflicts with MCHR's statute and what it does. Therefore, the bill will need to be amended during the next session to eliminate those conflicts. Regulations will have to be drafted in terms of the process. MCHR does not have subject matter of knowledge of this mandate; therefore, there needs to be training established for staff and the General Counsel to understand the entire process of dealing with commercial business discrimination. There is an enormous amount of work that has to be done

before the bill goes into effect on October 1, 2006.

The General Counsel informed Commissioners that the commercial non-discrimination policy states that the State should not do business with a company or business that discriminates. In order to enforce the policy a scheme was created which would allow complaints to be filed by those businesses that feel they have been discriminated against by a vendor or a general contractor and a process as to how those complaints would be investigated and heard. The hearings will be conducted by the Office of Administrative Hearings, but the investigations and making decisions will be done by MCHR. There are technical conflicts in the procedural scheme that have to be amended. MCHR was notified at the last minute that it would have to handle this legislation.

**DEPUTY
DIRECTOR'S
REPORT
Case Processing**

Commissioners received copies of the Deputy Director's Report (See attached). The Deputy Director informed Commissioners that MCHR just closed out the fiscal year. Eight hundred fifty-five Intake/Transfers In represents about a 9% reduction from last year. One thousand twenty-three Closures/Transfers Out represents about a 7% increase over the previous year. The data base implemented by EEOC is still having problems every single month.

The Deputy Director informed Commissioners that MCHR no longer has the capacity to produce the statistical reports for the Annual Report. John Nicholson, who works for the EEOC's Office of Information Technology, is designing reports to cover the information. The chart that MCHR has done in the past on Intake by County will not be provided by EEOC because that field is not in their data base. The information in the Managing for Results and the Mediation Program are contained in MCHR's data base (CTS).

**EEOC Directors'
Conference**

The Deputy Director informed Commissioners that during the EEOC Directors' Conference agencies were warned that next fiscal year (which begins October 2006) could face a 7-14% reduction in their contracts. There have been no conversations regarding contract modifications upward. MCHR would be prepared to do that if we chose to do that based on what MCHR's inventory is. MCHR is running slightly ahead of where we need to be come September 30, 2006.

**ASSISTANT
DIRECTOR'S
REPORT**

Commissioners received copies of the agency's Monthly Budget Status Report provided by the Assistant Director (See attached). The Assistant Director informed Commissioners that MCHR is in the process of closing out FY 2006 budget. The FY 2007 has just started. The cuts in federal funding will have an impact on MCHR during FY 2007 and FY 2008.

The Executive Director informed Commissioners that federal funds are going to be a lot less than in previous years and MCHR will have to immediately do some projections and deal with that. Commissioners will be kept abreast of

what MCHR will be doing.

Information
Technology Unit

The Information Technology Manager informed Commissioners that a new Master Plan and Project Request has to be prepared. Information Technology has received quotes for the new hardware that will be purchased this year.

**GENERAL
COUNSEL'S
REPORT**

Commissioners received copies of the General Counsel's Report (See attached). The General Counsel informed Commissioners that she attended a joint meeting of the National Association of Human Rights Workers and the Md. Association of Human Rights Agencies during which discussions were held regarding training for Commissioners.

National Fair Housing
Policy Conference

The General Counsel also attended the National Fair Housing Policy Conference in Anaheim, California. The conference was excellent in terms of the presentations, organization and logistics.

Hate Crimes

The General Counsel had a conversation with MCHR's local HUD representatives who are interested in conducting a program in Charles County and Howard County dealing with hate crimes.

Maryland State Bar
Association Meeting

The General Counsel also attended the Maryland State Bar Association's Annual Meeting in Ocean City, Maryland. The General Counsel became the new Chair of the Labor & Employment Law Section Council.

OLD BUSINESS
Immigrant Study

Chairperson Owen informed Commissioners that there will be a meeting with the Hispanic Affairs Commission on July 12, 2006. The purpose of this meeting is to acquire final agreement with the Hispanic Commission that they are going to participate in the Immigrant Study. Dr. Schneider has been trying to acquire funding for the study.

Commissioner Gelman informed Commissioners that there is a potential for a change in the direction of the study. This study maybe shifting into a pilot study done from Montgomery County in corporation with COSA and the Montgomery County Human Relations Commission.

Hate Crimes

During last month's Commission meeting Commission Gelman mentioned Hate Crimes as a topic for a fall Retreat. The General Counsel mentioned that the Coalition of Violence and Extremism specializes in hate crimes. Chairperson Owen suggested inviting the Chairperson of the Coalition of Violence and Extremism to the September Commission meeting.

The Commission meeting adjourned at 12:30 p.m.

Barbara Wilson